

§ 622.42

§ 622.42 Adjustment of management measures.

In accordance with the framework procedures of the FMP for the Reef Fish Resources of the Gulf of Mexico, the RA may establish or modify the items specified in paragraph (a) of this section for Gulf reef fish, or paragraph (b) of this section for sea turtles and other protected species.

(a) For a species or species group: Reporting and monitoring requirements, permitting requirements, bag and possession limits (including a bag limit of zero), size limits, vessel trip limits, closed seasons or areas and reopenings, annual catch limits (ACLs), annual catch targets (ACTs), quotas (including a quota of zero), accountability measures (AMs), MSY (or proxy), OY, management parameters such as overfished and overfishing definitions, gear restrictions (ranging from regulation to complete prohibition), gear markings and identification, vessel markings and identification, acceptable biological catch (ABC) and ABC control rules, rebuilding plans, and restrictions relative to conditions of harvested fish (maintaining fish in whole condition, use as bait).

(b) Possession, specifications, and use of required release gear and handling requirements for sea turtles and other protected species.

[78 FR 22952, Apr. 17, 2013, as amended at 84 FR 22386, May 17, 2019]

§ 622.43 Commercial trip limits.

Commercial trip limits are limits on the amount of the applicable species that may be possessed on board or landed, purchased, or sold from a vessel per day. A person who fishes in the EEZ may not combine a trip limit specified in this section with any trip or possession limit applicable to state waters. A species subject to a trip limit specified in this section taken in the EEZ may not be transferred at sea, regardless of where such transfer takes place, and such species may not be transferred in the EEZ. Commercial trip limits apply as follows:

(a) *Gulf greater amberjack*. (1) Until 75 percent of the quota specified in § 622.39(a)(1)(v) is reached, 1,000 lb (454

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kg), gutted weight; 1,040 lb (472 kg), round weight.

(2) After 75 percent of the quota is reached or projected to be reached, 250 lb (113 kg), gutted weight; 260 lb (118 kg), round weight. See § 622.39(b) for the limitations regarding greater amberjack after the quota is reached. When the conditions in this paragraph (a)(2) have been reached, the Assistant Administrator will implement this trip limit change by filing a notification with the Office of the Federal Register.

(b) *Gray triggerfish*. Until the commercial ACT (commercial quota) specified in § 622.39(a)(1)(vi) is reached—16 fish. See § 622.39(b) for the limitations regarding gray triggerfish after the commercial ACT (commercial quota) is reached.

(c) *Hogfish in the Gulf EEZ south of 25°09' N. lat. off the west coast of Florida*—see § 622.191(a)(12)(ii) for the commercial trip limit.

[78 FR 22952, Apr. 17, 2013, as amended at 78 FR 27087, May 9, 2013; 80 FR 75436, Dec. 2, 2015; 82 FR 34581, July 25, 2017; 82 FR 59526, Dec. 15, 2017; 85 FR 20614, Apr. 14, 2020]

Subpart C—Shrimp Fishery of the Gulf of Mexico

§ 622.50 Permits, permit moratorium, and endorsements.

(a) *Gulf shrimp permit*. For a person aboard a vessel to fish for shrimp in the Gulf EEZ or possess shrimp in or from the Gulf EEZ, a commercial vessel permit for Gulf shrimp must have been issued to the vessel and must be on board. See paragraph (b) of this section regarding a moratorium on commercial vessel permits for Gulf shrimp and the associated provisions. See paragraph (c) of this section, regarding an additional endorsement requirement related to royal red shrimp.

(b) *Moratorium on commercial vessel permits for Gulf shrimp*. The provisions of this paragraph (b) are applicable through October 26, 2026.

(1) *Moratorium permits are required*. The only valid commercial vessel permits for Gulf shrimp are commercial vessel moratorium permits for Gulf shrimp. In accordance with the procedures specified in the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico (Gulf Shrimp FMP),

all commercial vessel moratorium permits for Gulf shrimp have been issued. No additional permits will be issued.

(2) *Permit transferability.* Commercial vessel moratorium permits for Gulf shrimp are fully transferable, with or without the sale of the vessel. To request that the RA transfer a commercial vessel moratorium permit for Gulf shrimp, the owner of a vessel that is to receive the transferred permit must complete the transfer information on the reverse of the permit and return the permit and a completed application for transfer to the RA. Transfer documents must be notarized as specified in § 622.4(f)(1).

(3) *Renewal.* (i) Renewal of a commercial vessel moratorium permit for Gulf shrimp is contingent upon compliance with the recordkeeping and reporting requirements for Gulf shrimp specified in § 622.51(a).

(ii) Except as provided for in paragraph (b)(3)(iii) of this section, a commercial vessel moratorium permit for Gulf shrimp that is not renewed will be terminated and will not be reissued during the moratorium. A permit is considered to be not renewed when an application for renewal, as required, is not received by the RA within 1 year of the expiration date of the permit.

(iii) When NMFS has determined that the number of commercial vessel moratorium permits for Gulf shrimp has reached the threshold number of permits as described in the FMP, then a commercial vessel moratorium permit for Gulf shrimp that is not renewed will be converted to a Gulf shrimp reserve pool permit and held by NMFS for possible reissuance. Gulf shrimp reserve pool permits will not be issued until eligibility requirements are developed and implemented through subsequent rulemaking.

(c) *Gulf royal red shrimp endorsement.* For a person aboard a vessel to fish for royal red shrimp in the Gulf EEZ or possess royal red shrimp in or from the Gulf EEZ, a commercial vessel permit for Gulf shrimp with a Gulf royal red shrimp endorsement must be issued to the vessel and must be on board.

(d) *Permit procedures.* See § 622.4 for information regarding general permit procedures including, but not limited to, application, fees, duration, transfer,

renewal, display, sanctions and denials, and replacement.

(e) *Gulf shrimp transit provision.* A vessel that does not have a valid Gulf shrimp moratorium permit, as described in paragraphs (a) and (b) of this section, may possess Gulf shrimp when in transit in the Gulf EEZ provided that the shrimp fishing gear is appropriately stowed. For the purposes of this paragraph, transit means non-stop progression through the Gulf EEZ. Fishing gear appropriately stowed means trawl doors and nets must be out of the water and the bag straps must be removed from the net.

[78 FR 22952, Apr. 17, 2013, as amended at 81 FR 47735, July 22, 2016; 82 FR 60567, Dec. 21, 2017]

§ 622.51 Recordkeeping and reporting.

(a) *Commercial vessel owners and operators—(1) General reporting requirement.* The owner or operator of a vessel that fishes for shrimp in the Gulf EEZ or in adjoining state waters, or that lands shrimp in an adjoining state, must provide information for any fishing trip, as requested by the SRD, including, but not limited to, vessel identification, gear, effort, amount of shrimp caught by species, shrimp condition (heads on/heads off), fishing areas and depths, and person to whom sold.

(2) *Electronic logbook reporting.* The owner or operator of a vessel for which a Federal commercial vessel permit for Gulf shrimp has been issued and who is selected by the SRD must participate in the NMFS-sponsored electronic logbook reporting program as directed by the SRD. In addition, such owner or operator must provide information regarding the size and number of shrimp trawls deployed and the type of bycatch reduction device (BRD) and turtle excluder device used, as directed by the SRD. Compliance with the reporting requirements of this paragraph (a)(2) is required for permit renewal.

(3) *Vessel and Gear Characterization Form.* All owners or operators of vessels applying for or renewing a commercial vessel moratorium permit for Gulf shrimp must complete an annual Gulf Shrimp Vessel and Gear Characterization Form. The form will be provided by NMFS at the time of permit application and renewal. Compliance with